

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF APPEALS

In re Patent Application of:)	
LUE CHEE LIP ET AL.)	
)	Examiner: A. LEZAK
Serial No. 09/988,907)	
)	Art Unit: 2143
Confirmation No. 9214)	
)	Attorney Docket No.
Filing Date: NOVEMBER 20, 2001)	FE0053955511
)	
For: METHOD AND SYSTEM FOR)	
PROCESSING A VISITOR REQUEST)	
OVER AN INTRANET)	

APPELLANT'S APPEAL BRIEF

MS Appeal Brief-Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is Appellant's Appeal Brief together with the requisite \$500.00 large entity fee for filing a brief. If any additional extension and/or fee is required, authorization is given to charge Deposit Account No. **01-0484**.

(1) Real Party in Interest

The real party in interest is Lockheed Martin Corporation, assignee of the present application as recorded at reel 12335, frame 633.

(2) Related Appeals and Interferences

At present there are no related appeals or interferences.

(3) Status of the Claims

Claims 1-40 are pending in the application, all of

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which being appealed herein.

(4) Status of the Amendments

The claim amendments made in the amendment after final filed February 23, 2007 will not be entered. The claims in the amendment filed March 30, 2006 are being appealed. There are no further pending amendments. A copy of the claims involved in this appeal is attached hereto as Appendix A.

(5) Summary of the Claimed Subject Matter

The present invention, as recited in independent Claim 1, for example, is directed to a method for processing a visitor request over an intranet for a visitor visiting an organization. See page 6, line 20 through page 10, line 19 and FIG. 2 (reproduced below). The method comprises using the intranet **10** within the organization for filling-out a visitor request form (Block **22**), submitting the filled-out visitor request form over the intranet only within the organization (Block **22**), and creating a visitor database on the visitor based upon the filled-out visitor request form (Block **24**). A visitor approval request message is transmitted via e-mail to at least one evaluator within the organization if approval is required (Block **26**). The visitor approval request message has a hyperlink to the filled-out visitor request form (Block **26**). The method further comprises submitting an approval recommendation by the at least one evaluator via e-mail for updating the visitor database (Block **28**).

An advantage of the present invention is that the e-mail messages are easily transmitted and received over the intranet between employees within the same organization or company for processing the filled-out visitor request form. For security purposes, the visitor request form is submitted over the

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internet only within the organization. In addition, the hyperlinks embedded within the e-mail messages allow the evaluators - also within the same organization or company - to access the filled-out visitor request form to provide a user friendly and efficient method of distributing and validating the filled-out visitor request form only within the same organization or company.

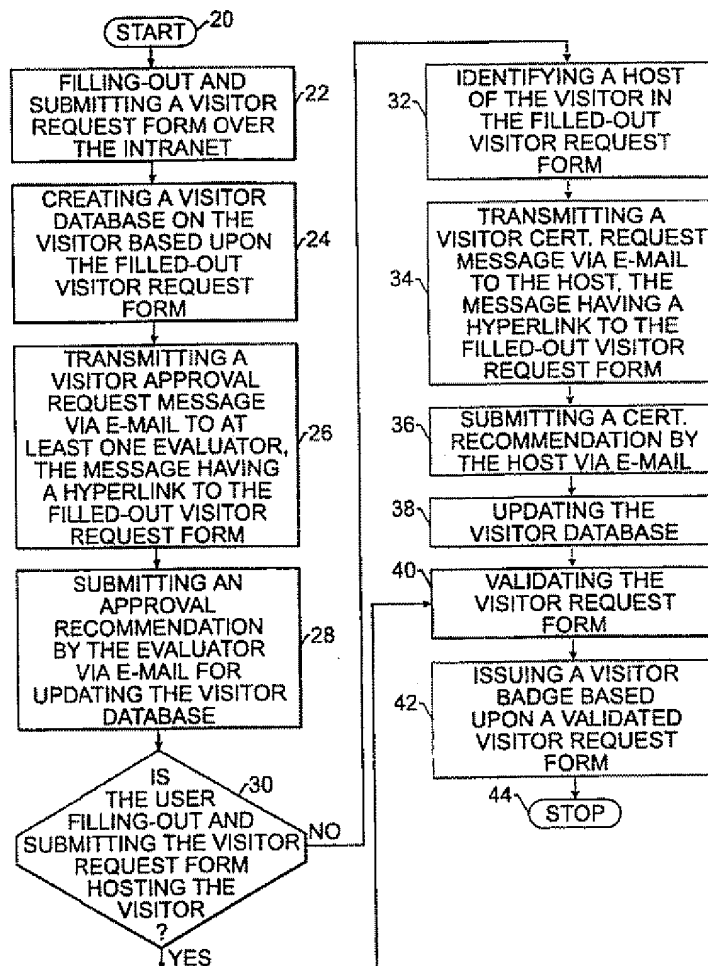


FIG. 2 of the present application

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Independent method Claim 12 is also directed to a method for processing a visitor request over an intranet for a visitor visiting an organization. See page 6, line 20 through page 10, line 19 and FIG. 2. The method comprises using the intranet within the organization for filling-out a visitor request form (Block **22**), submitting the filled-out visitor request form over the intranet only within the organization (Block **22**), and creating a visitor database on the visitor based upon the filled-out visitor request form including classification of the visitor as a regular visitor or a foreign visitor (Block **24**) and page 10, lines 1-7. A visitor approval request message is transmitted via e-mail to at least one evaluator within the organization if approval is required (Block **26**). The visitor approval request message has a hyperlink to the filled-out visitor request form (Block **26**). The method further comprises submitting an approval recommendation by the at least evaluator via e-mail (Block **28**), and issuing a visitor badge based upon a validated filled-out visitor request form (Block **42**).

Independent device Claim 21 is directed to an intranet **10** for processing a visitor request for a visitor visiting an organization. See page 6, line 20 through page 10, line 19 and FIG. 1 (reproduced below). The intranet **10** comprises at least one computing device **18** comprising a plurality of software modules. The plurality of software modules comprises a first software module for filling-out and submitting a visitor request form within the organization (Block **22**). The filled-out visitor request form is submitted over the intranet only within the organization (Block **22**). A second software module creates a visitor database on the visitor based upon information provided in the filled-out visitor request form (Block **24**). A third software module transmits a visitor approval request message via e-mail to at least one evaluator within the organization based

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upon the visitor database if approval is required (Block 26). The visitor approval request message has a hyperlink to the filled-out visitor request form (Block 26). A fourth software module submits an approval recommendation by the at least one evaluator for updating the visitor database (Block 28).

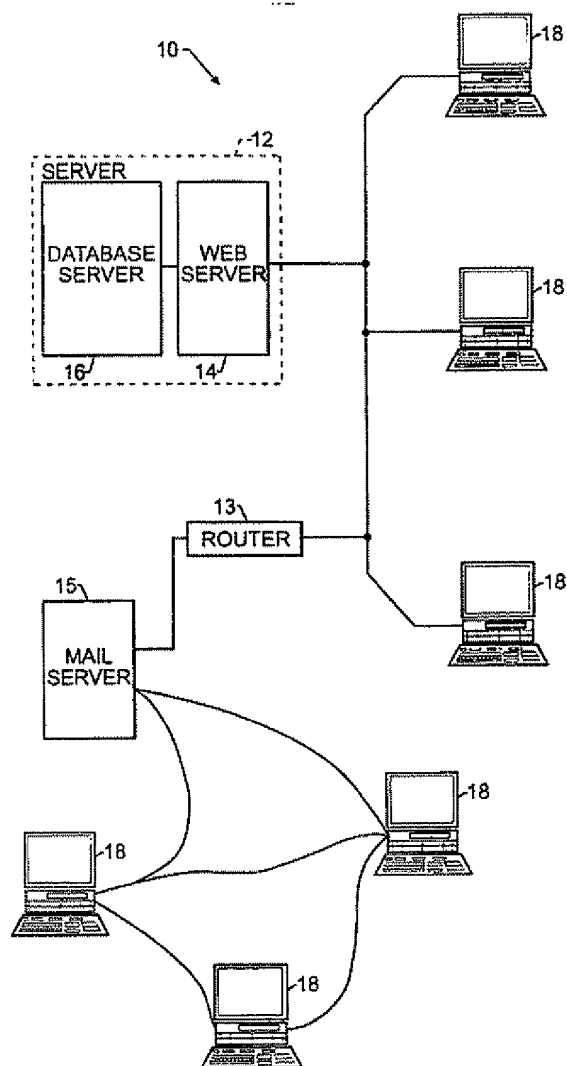


FIG. 1 of the present application

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Independent device Claim 32 is directed to a computer-readable medium having stored thereon a data structure for performing the method as defined in Claim 1. See page 6, line 20 through page 10, line 19, page 5, lines 19-32, and FIG. 2. The data structure comprises a first data field containing data representing a visitor request form for a visitor visiting an organization (Block **22**). The filled-out visitor request form is submitted over an intranet only within the organization (Block **22**). A second data field contains data representing an e-mail message having a hyperlink to the data representing the filled-out visitor request form (Block **26**). The e-mail message is to be transmitted to at least one evaluator within the organization if approval is required (Block **26**). A third data field contains data representing an approval recommendation by the at least one evaluator, with the comments to be transmitted via e-mail (Block **28**).

(6) Grounds of Rejection to be Reviewed On Appeal

Claims 1, 12, 21 and 32 stand rejected under 35 U.S.C §112 as failing to comply with the written description requirement.

Claims 1-40 stand rejected under 35 U.S.C §103(a) as being unpatentable over the Dietz et al. patent (U.S. Patent No. 6,408,337).

(7) Argument

I. The Claims Are Supported By The Specification

The Examiner has taken the position that the specification does not support the claim recitation of "submitting the filled-out visitor request form over the intranet only within the organization." The Appellants submit that the specification supports limiting processing of the visitor request

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form to within the organization. Reference is directed to page 7, lines 3-8, which provides:

"A key component of the intranet **10** is an e-mail system and a web browser for implementing the VIS. The e-mail system may use normal internet e-mail addresses, except that it routes traffic within an organization so the e-mail need not travel outside the intranet **10**." (Emphasis added).

In order for an e-mail containing the filled out visitor request form not to travel outside the organization, it would have to be submitted only within the organization as recited in the claimed invention.

Reference is also directed to page 7, lines 16-19, which provides: "E-mail messages are easily transmitted and received between users within the intranet **10** for providing approval request messages and validation for a particular visitor request form." (Emphasis added). Moreover, the specification also states that "the intranet offers access only to enrolled or authorized users." (page 7, lines 24-25). Enrolled or authorized users are personnel or employees that work within the organization. Accordingly, the Appellants submit that the specification supports limiting the claims so that the filled-out visitor request form is submitted over the intranet only within the organization.

II. The Claims Are Patentable Over Dietz Et Al.

The Examiner rejected independent Claims independent Claims 1, 12, 21 and 32 over the Dietz et al. patent. In the Dietz et al. patent, a distributed computer network configuration aids an organization in managing engagements of non-employee workers who are supplied by a vendor. The organization **205**

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maintains a computer system that is linked to a vendor's computer system **230**. The vendor's computer system **230** is separate from the organization's computer system **205**, as best illustrated in FIG. 2 in the Dietz et al. patent (reproduced below).

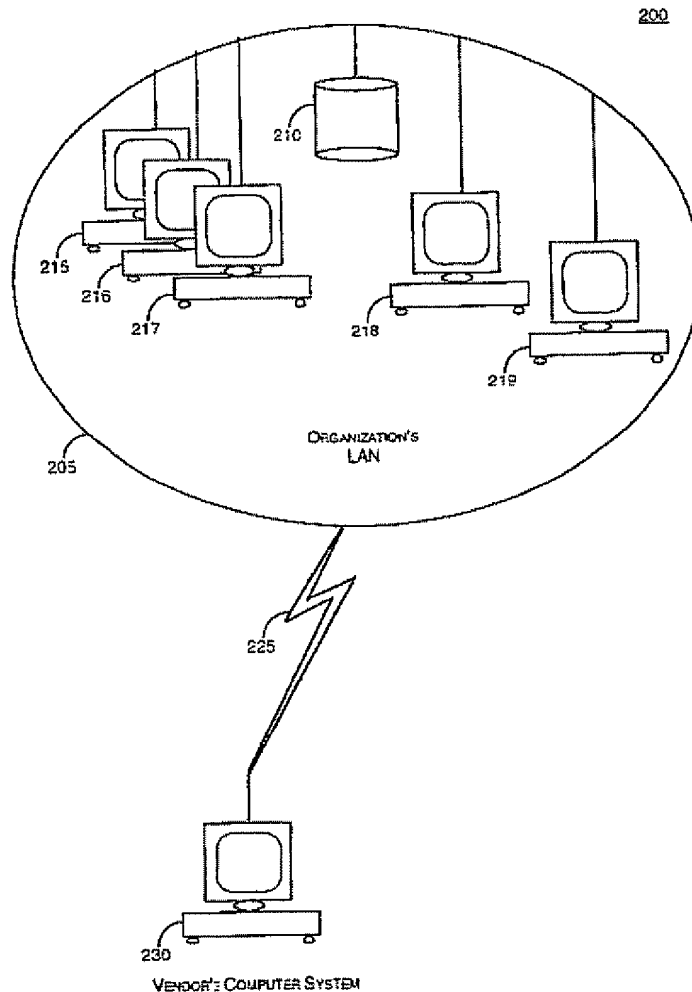


FIG. 2 of Dietz et al.

The Examiner has taken the position that "engaging manager" and "work assignment approver" are limited to "within

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the organization." The Appellants respectfully submit that the Examiner has mischaracterized the Dietz et al. patent since the vendor receiving the initial work request is clearly not within the organization. If the vendor was considered to be within the organization, then the figures in the Dietz et al. patent would have shown it so.

As clearly illustrated in FIG. 2 and FIG. 3 (reproduced below) in Dietz et al., the vendor **230** is external the organization's LAN **205**. Consequently, information is shared between the organization's computer system **218** and the vendor's computer system **230** via the WAN **225**. Even though a database management system is provided within the organization's LAN **205** for accessing a database to create, modify, store and access non-employee workers, work assignments, time reports, and possibly electronic versions of employment agreements - the request for a non-employee worker is provided to the vendor via the WAN **225**, which is external the organization.

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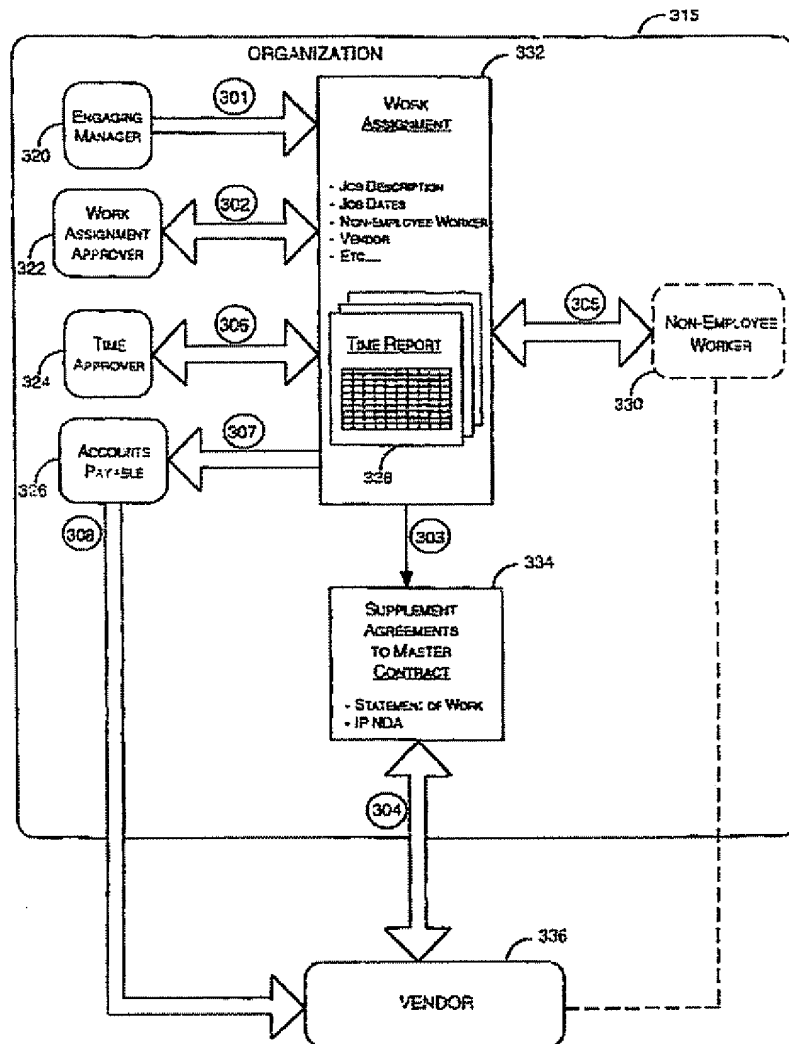


FIG. 3 of Dietz et al.

In particular, Dietz et al. discloses that the distributed computer network has various nodes for communicating and sharing information between the organization and one or more vendors. Reference is directed to column 5, lines 23-25 of Dietz et al. and to FIG. 2, which provides:

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"The organization's LAN 205 may be linked via a wide area network (WAN) 225, such as the Internet, to a computer system 230 maintained by the vendor." (Emphasis added.)

Reference is also directed to column 2, lines 31-43 of Dietz et al., which provides:

"According to another aspect of the present invention, an engaging manager is responsible for requesting a non-employee worker who is suitable to fill a particular position. To find a suitable non-employee worker, the engaging manager may send an e-mail request to the vendor. Upon receipt of the e-mail request, the vendor may compile a list of all qualified and available non-employee workers. The engaging manager may then request a non-employee worker from the list and, via e-mail, seek the approval of a supervisor for engaging the non-employee worker." (Emphasis added.)

In other words, Dietz et al. discloses that a request for a visitor or non-employee worker is made by the organization over the Internet (i.e., external the organization's LAN) to the vendor supplying the visitor or non-employee. This is in sharp contrast to the claimed invention, where the filled-out visitor request form is submitted over the intranet only within the organization.

In fact, the Dietz et al. patent teaches away from the claimed invention since the object of the invention is to fill a need within the organization by contacting a vendor outside the organization. This need is in terms of requesting a temporary employee, and has nothing to do with obtaining the proper authorization for a visitor to the organization.

Moreover, the Dietz et al. patent fails to disclose the

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use of hyperlinks to the filled-out visitor request form associated with a visitor approval request message. The Examiner has taken the position that it would have been obvious to include a hyperlink to the specific visitor database within an e-mail between an engaging manager and a work assignment approver for purposes of eliminating the need for the approver to search the entire visitor database, thus saving time and expediting the approval process.

It appears that the Examiner is taking judicial notice that hyperlinks were common practice at the time of the invention. The Appellants respectfully disagree and submit that if hyperlinks were common practice, then why didn't the Dietz et al. make us of them? The Examiner did not provide a reference disclosing hyperlinks to the specific visitor database within an e-mail for purposes of eliminating the need for the approver to search the entire visitor database. It thus appears that the Examiner is using impermissible hindsight reconstruction to modify Dietz et al. based on the Appellants' specification to produce the claimed invention.

The Dietz et al. patent fails to teach or suggest transmitting and receiving e-mail messages over the intranet between employees within the same organization or company for processing the filled-out visitor request form. In addition, the Dietz et al. patent fails to teach or suggest the use of hyperlinks embedded within the e-mail messages for allowing the evaluators - also within the same organization or company - to access the filled-out visitor request form to provide a user friendly and efficient method of distributing and validating the filled-out visitor request form within the same organization or company.

Accordingly, it is submitted that independent Claim 1 is patentable over Dietz et al. Independent Claims 12, 21 and 32


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are similar to independent Claim 1. Therefore, it is submitted that these claims are also patentable over Dietz et al. In view of the patentability of the independent Claims 1, 12, 21 and 32, it is submitted that their dependent claims, which recite yet further distinguishing features of the invention, are also patentable. These dependent claims require no further discussion herein.

III. CONCLUSION

In view of the foregoing arguments, it is submitted that all of the claims are patentable over the prior art. Accordingly, the Board of Patent Appeals and Interferences is respectfully requested to reverse the earlier unfavorable decision by the Examiner.

Respectfully submitted,



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APPENDIX A - CLAIMS ON APPEAL
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1. A method for processing a visitor request over an intranet for a visitor visiting an organization, the method comprising:

using the intranet within the organization for filling-out a visitor request form;

submitting the filled-out visitor request form over the intranet only within the organization;

creating a visitor database on the visitor based upon the filled-out visitor request form;

transmitting a visitor approval request message via e-mail to at least one evaluator within the organization if approval is required, the visitor approval request message having a hyperlink to the filled-out visitor request form; and

submitting an approval recommendation by the at least one evaluator via e-mail for updating the visitor database.

2. A method according to Claim 1 wherein the e-mail corresponding to the visitor approval request message is transmitted at least in part over the intranet; and wherein the e-mail corresponding to the approval recommendation is transmitted at least in part over the intranet.

3. A method according to Claim 1 further comprising validating the updated filled-out visitor request form.

4. A method according to Claim 1 further comprising issuing a visitor badge based upon a validated filled-out visitor request form.

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5. A method according to Claim 4 wherein the visitor badge comprises at least one of an escort required badge and a no escort required badge.

6. A method according to Claim 1 wherein if a user filling-out and submitting the visitor request form is not hosting the visitor, then the method further comprises:

identifying a host of the visitor in the filled-out visitor request form;

transmitting a visitor certification request message via e-mail to the host, the visitor certification request message having a hyperlink to the filled-out visitor request form; and

submitting a certification recommendation by the host via e-mail for updating the visitor database.

7. A method according to Claim 1 further comprising classifying the visitor as either a regular visitor or a foreign visitor.

8. A method according to Claim 7 wherein a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card.

9. A method according to Claim 7 wherein a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship.

10. A method according to Claim 1 wherein the at least one evaluator comprises at least one of a security administrator and an import/export administrator.

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11. A method according to Claim 1 further comprising transmitting a status message via e-mail to a user filling-out and submitting the visitor request form, and if the user filling-out and submitting the visitor request form is not hosting the visitor, then transmitting another status message via e-mail to the user hosting the visitor.

12. A method for processing a visitor request over an intranet for a visitor visiting an organization, the method comprising:

using the intranet within the organization for filling-out a visitor request form;

submitting the filled-out visitor request form over the intranet only within the organization;

creating a visitor database on the visitor based upon the filled-out visitor request form including classification of the visitor as a regular visitor or a foreign visitor;

transmitting a visitor approval request message via e-mail to at least one evaluator within the organization if approval is required, the visitor approval request message having a hyperlink to the filled-out visitor request form;

submitting an approval recommendation by the at least evaluator via e-mail; and

issuing a visitor badge based upon a validated filled-out visitor request form.

13. A method according to Claim 12 further comprising:
updating the filled-out visitor database based upon the received approval recommendations; and
validating the updated filled-out visitor request form.

14. A method according to Claim 12 wherein the e-mail

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corresponding to the visitor approval request message is transmitted at least in part over the intranet; and wherein the e-mail corresponding to the approval recommendation is transmitted at least in part over the intranet.

15. A method according to Claim 12 wherein the visitor badge comprises at least one of an escort required badge and a no escort required badge.

16. A method according to Claim 12 wherein if a user filling-out and submitting the visitor request form is not hosting the visitor, then the method further comprises:

identifying a host of the visitor in the filled-out visitor request form;

transmitting a visitor certification request message via e-mail to the host, the visitor certification request message having a hyperlink to the filled-out visitor request form; and

submitting a certification recommendation by the host for updating the visitor database.

17. A method according to Claim 12 wherein classification of the visitor as a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card.

18. A method according to Claim 12 wherein classification of the visitor as a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship.

19. A method according to Claim 12 wherein the at least

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one evaluator comprises at least one of a security administrator and an import/export administrator.

20. A method according to Claim 12 further comprising transmitting a status message via e-mail to a user filling-out and submitting the visitor request form, and if the user filling-out and submitting the visitor request form is not hosting the visitor, then transmitting another status message via e-mail to the user hosting the visitor.

21. An intranet for processing a visitor request for a visitor visiting an organization, the intranet comprising:

at least one computing device comprising a plurality of software modules, said plurality of software modules comprising

a first software module for filling-out and submitting a visitor request form within the organization, the filled-out visitor request form being submitted over the intranet only within the organization;

a second software module for creating a visitor database on the visitor based upon information provided in the filled-out visitor request form;

a third software module for transmitting a visitor approval request message via e-mail to at least one evaluator within the organization based upon the visitor database if approval is required, the visitor approval request message having a hyperlink to the filled-out visitor request form; and

a fourth software module for submitting an approval recommendation by the at least one evaluator for updating the visitor database.

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22. An intranet according to Claim 21 wherein the e-mail corresponding to the visitor approval request message is transmitted at least in part over the intranet; and wherein the e-mail corresponding to the approval recommendation is transmitted at least in part over the intranet.

23. An intranet according to Claim 21 wherein said fourth software module also validates the filled-out visitor request form if approval is received from all evaluators.

24. An intranet according to Claim 21 further comprising a fifth software module for issuing a visitor badge based upon a validated filled-out visitor request form.

25. An intranet according to Claim 24 wherein the visitor badge comprises at least one of an escort required badge and a no escort required badge.

26. An intranet according to Claim 21 wherein if a user filling-out and submitting the visitor request form is not hosting the visitor, then the intranet further comprises:

a sixth software module for identifying a host of the visitor in the filled-out visitor request form, and transmitting a visitor certification request message via e-mail to the host, the visitor certification request message having a hyperlink to the filled-out visitor request form; and

a seventh software module for submitting a certification recommendation by the host via e-mail for updating the filled-out visitor database.

27. An intranet according to Claim 21 wherein said second software module also classifies the visitor as either a

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regular visitor or a foreign visitor.

28. An intranet according to Claim 27 wherein a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card.

29. An intranet according to Claim 27 wherein a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship.

30. An intranet according to Claim 21 wherein the at least one evaluator comprises at least one of a security administrator and an import/export administrator.

31. An intranet according to Claim 21 further comprising an eighth software module for transmitting a status message via e-mail to a user filling-out and submitting the visitor request form, and if the user filling-out and submitting the visitor request form is not hosting the visitor, then transmitting another status message via e-mail to the user hosting the visitor.

32. A computer-readable medium having stored thereon a data structure comprising:

a first data field containing data representing a visitor request form for a visitor visiting an organization, the filled-out visitor request form being submitted over an intranet only within the organization;

a second data field containing data representing an e-mail message having a hyperlink to the data representing the filled-out visitor request form, the e-mail message to be

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transmitted to at least one evaluator within the organization if approval is required; and

a third data field containing data representing an approval recommendation by the at least one evaluator, the comments to be transmitted via e-mail.

33. A computer-readable medium according to Claim 32 further comprising:

a fourth data field containing data representing a database on the visitor based upon information provided in the filled-out visitor request form; and

a fifth data field containing data for updating the visitor database.

34. A computer-readable medium according to Claim 32 further comprising a sixth data field containing data for validating the filled-out visitor request form if all evaluators approve.

35. A computer-readable medium according to Claim 32 further comprising a seventh data field for containing data for issuing a visitor badge based upon a validated filled-out visitor request form.

36. A computer-readable medium according to Claim 35 wherein the visitor badge comprises at least one of an escort required badge and a no escort required badge.

37. A computer-readable medium according to Claim 32 wherein if a user that created the visitor request form is not hosting the visitor, then the computer-readable medium further comprises:

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an eighth data field for containing data for identifying a host of the visitor in the filled-out visitor request form;

a ninth data field for containing data representing an e-mail message having a hyperlink to the data representing the filled-out visitor request form, the e-mail message to be transmitted to the host; and

a tenth data field for containing data representing a certification recommendation by the host, the comments to be transmitted via e-mail.

38. A computer-readable medium according to Claim 33 wherein said fourth data field further contains data classifying the visitor as either a regular visitor or a foreign visitor.

39. A computer-readable medium according to Claim 38 wherein a regular visitor comprises at least one of a U.S. citizen, and a non-U.S. citizen with an alien registration card.

40. A computer-readable medium according to Claim 38 wherein a foreign visitor comprises at least one of a non-U.S. citizen without an alien registration card, a person representing a foreign company, and a person having dual citizenship.

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APPENDIX B - EVIDENCE APPENDIX
PURSUANT TO 37 C.F.R. § 41.37(c)(1)(ix)

None.

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APPENDIX C - RELATED PROCEEDINGS APPENDIX
PURSUANT TO 37 C.F.R. § 41.37(c)(1)(x)

None.